



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3014740
Applicant Name: Michael Chen for UPURS, LLC
Address of Proposal: 2920 SW Florida Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land in an environmentally critical area. Proposed parcel sizes are: Y) 166,834.8 sq. ft. and Z) 25,264.8 sq. ft.

The following approvals are required:

Short Subdivision - to subdivide one parcel into two parcels of land.
(Seattle Municipal Code (SMC) Chapter 23.24)

SEPA - Environmental Determination (SMC Chapter 25.05).

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND INFORMATION

Zoning: General Industrial 1 (IG1 U/85) and General Industrial 2 (IG2 U/85) in Urban Industrial (UI) shoreline overlay.

Uses on Site: None, property is vacant.

Site Description

This 192,099.60 square foot (sq. ft.) project site (4.414 acres) is located in the Alki neighborhood of the West Seattle. The parcel is situated on the east side of Harbor Avenue Southwest/Alki

Trail. The property, owned by the BNSF Railway Company, is vacant with railroad tracks on a portion of the site.

Vehicular access to the site is via a curbcut abutting Harbor Avenue Southwest. This street is an improved Minor arterial street with a paved roadway, curbs, gutters, street trees and sidewalks.

The topography of the site relatively flat. The site is identified as Environmentally Critical Area (ECA)-flood prone, shoreline habitat buffer, wildlife habitat, liquefaction-prone, and abandoned landfill. A small easterly portion of the property is mapped shoreline habitat buffer. During the review of this application, the DPD Floodplain expert determined that, based on the hard copy of the 1996 Flood Insurance Rate Map (FIRM) the subject property isn't located in the flood prone area. As a result, the applicant has been granted an ECA flood prone exemption due to mapping error for this proposal.

Surrounding property north, south and east of the proposal site is also zoned both IG1 U/85 and IG2 U/85. Commercial 1 (C1-40) zoned property is west of the project site. Existing development in the vicinity of the proposal consists of homes, apartments, Port of Seattle facilities, industrial uses and restaurants. Jack Block Park is east of the site.

Proposal

The proposal is to subdivide one parcel of land to create two lots. Proposed parcel sizes are indicated in the summary above. Both proposed Parcels Y and Z will have direct vehicular and pedestrian access to Harbor Avenue Southwest.

The subject of this analysis and decision is restricted to the proposed division of land.

Public Comment

The public comment period ended on April 10, 2013. DPD received no written comments regarding this proposal during the public comment period.

ANALYSIS – SUBDIVISION

General short subdivision standards: Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
3. *Adequacy of drainage, water supply and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*

5. *Conformance to the applicable provisions of Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouse, rowhouse, and cottage housing developments as permitted in Single-Family, Residential Small Lot, and Lowrise zones and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones; and;*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*
9. *Every lot except unit lots and lots proposed to be platted for individual live-work units in zone in zones where live-work units are permitted, shall conform to the following standards for lot configuration, unless a special exception is authorized under subsection 23.24.040.B:*
 - a. *If a lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet; and*
 - b. *No lot shall be less than 10 feet wide for a distance of more than 10 feet as measured at any point; and*
 - c. *No proposed lot shall have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line; and*
 - d. *If the property proposed for subdivision is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of Section 23.53.030, then no new lot shall be proposed that does not provide alley access, except that access from a street to an existing use or structure is not required to be changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.*

Based on information provided by the applicant, referral comments from DPD and other City Departments, and review and analysis by the Land Use Planner, the above criteria have been met. The short subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This short subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions.

The northwesterly area of the project site is mapped ECA wildlife habitat conservation areas and an easterly portion of the site is mapped ECA shoreline habitat buffer as defined in SMC 25.09. Thus, the property as a whole is subject to ECA review and the corresponding submittal standards. A topographic survey was submitted pursuant to 25.09.330 delineating the ECA shoreline habitat buffer area. There is currently no proposed development in the identified ECA areas.

Provisions of SMC 25.09.240.B.4 states in part that development may encroach into the shoreline habitat buffer area provided that specific conditions are recorded on the plat drawings. The DPD Land Use Planner in consultation with the DPD Shoreline Expert has confirmed that the appropriate conditions have been noted on the plat and comply with SMC 25.09.240.B.4.a-c.

The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION – SHORT SUBDIVISION

The proposed Short Subdivision is **GRANTED**.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area, as noted above. Proposals located in landslide prone areas (i.e. known landslide areas, potential landslide areas, and steep slopes), wetlands, and fish and wildlife habitat conservation areas may require environmental review (SMC 25.05.908), thus this application is not exempt from SEPA review. However, the scope of environmental review of projects within these critical areas is limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (SMC Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. DPD has analyzed and annotated the environmental checklist submitted by the project applicant; reviewed the project plans and any additional information in the file and any pertinent comments which may have been received regarding this proposed action have been considered. As indicated in the checklist, this action may result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: the Stormwater Code (SMC 22.800-808), the Grading

Code (SMC 22.170), the Street Use Ordinance (SMC Title 15), the Seattle Building Code, and Regulations for ECA (SMC 25.09).

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*” subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-Term and Long-Term Impacts

No short-term or long-term impacts are anticipated as a result of approval of the short subdivision.

Plants and Animals

A portion of the site is mapped ECA due to wildlife habitat conservation areas. The short plat proposal would create two parcels of land from the existing property by creating a new lot line between the lots. No construction is proposed for the project itself and the ECA area is situated over an existing gravel driveway. Thus, no impacts to the wildlife habitat conservation area are expected.

Summary

In conclusion, no additional conditioning is warranted pursuant to SEPA policies. Therefore, no additional SEPA conditions have been imposed on this short plat.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determine to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2) (c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2) (c).

CONDITIONS – SEPA

None required.

CONDITIONS – SHORT SUBDIVISION

None required.

Signature: (signature on file) Date: September 9, 2013
Tami Garrett, Senior Land Use Planner
Department of Planning and Development

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